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Documents that Led to the Constitution

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| Document Title | Ideas that were used in the Constitution |
| Magna Carta |  |
| New Jersey Plan |  |
| Virginia Plan |  |
| Iroquois Constitution |  |
| Articles of Confederation |  |

**Selections from The Articles of Confederation**

Article I. The stile of this confederacy shall be, “The United States of America.”

Article II. Each State retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this confederation, expressly delegated to the United States, in Congress assembled.

Article III. The said States hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their liberties, and their mutual and general welfare, binding them-selves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

Article V. For the more convenient management of the general interests of the united States, delegates shall be annually appointed in such manner as the legislature of each State shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each State to recall its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the year.

No State shall be represented in Congress by less than two, nor by more than Seven Members; and no person shall be capable of being delegate for more than three years, in any term of Six years….

In determining questions in the United States in Congress assembled, each State shall have one vote.

Article VII. … The taxes…shall be laid and levied by the authority and direction of the legislatures of the several States, within the time agreed upon by the united States, in congress assembled.

<http://ourdocuments.gov/doc.php?doc=3&page=transcript>

**Selections from the Virginia Plan, 1787**

**1. Resolved** that it is the opinion of this Committee that a national government ought to be established consisting of a Supreme Legislative, Judiciary, and Executive.

**2. Resolved**. that the national Legislature ought to consist of Two Branches.

**3. Resolved** that the members of the first branch of the national Legislature ought to be elected by the People of the several States for the term of Three years….

**4. Resolved**. that the members of the second Branch of the national Legislature ought to be chosen by the individual Legislatures.



**7. Resolved**. that the right of suffrage in the first branch of the national Legislature ought not to be according to the rule established in the articles of confederation: but according to some equitable ratio of representation — namely, in proportion to the whole number of white and other free citizens and inhabitants of every age, sex, and condition including those bound to servitude for a term of years, and three fifths of all other persons not comprehended in the foregoing description, except Indians, not paying taxes in each State.

**8. Resolved**. that the right of suffrage in the second branch of the national Legislature ought to be according to the rule established for the first.

**9. Resolved**. that a national Executive be instituted to consist of a single person. to be chosen by the National Legislature. for the term of seven years. with power to carry into execution the national Laws….



**11. Resolved**. that a national Judiciary be established to consist of One Supreme Tribunal. The Judges of which to be appointed by the second Branch of the National Legislature. to hold their offices during good behaviour



**18. Resolved**. that the Legislative, Executive, and Judiciary powers within the several States ought to be bound by oath to support the articles of Union.

<http://ourdocuments.gov/doc.php?doc=7&page=transcript>

**Selections from the New Jersey Plan, 1787**

*On June 15, 1787, William Patterson proposed the following document to revise the Articles of Confederation and to add an executive branch of government with very limited power. Each state would be given one vote in Congress, to preserve the principle of state equality.*

1. Resolved that the articles of Confederation ought to be so revised, corrected & enlarged, as to render the federal Constitution adequate to the exigencies of Government, & the preservation of the Union.



4. Resolved that the U. States in Congs be authorized to elect a federal Executive to consist of persons….

5. Resolved that a federal Judiciary be established to consist of a supreme Tribunal the Judges of which to be appointed by the Executive, & to hold their offices during good behaviour….



7. Resolved that provision be made for the admission of new States into the Union.

8. Resolved the rule for naturalization ought to be the same in every State.

9. Resolved a Citizen of one State committing an offense in another State of the Union, shall be deemed guilty of the same offense as if it had been committed by a Citizen of the State in which the offense was committed.

<http://research.history.org/pf/documents/newJerseyPlan.cfm>

**Excerpts from the Magna Carta, 1215**

1. First that we have granted to God, and by this present charter have confirmed for us our heirs **in perpetuity** that the English Church shall be free, and shall have **its rights undiminished, and its liberties unimpaired**. . . .

2. If any **earl**, baron, or other person that holds lands directly of the Crown, for military service, shall die, and at his death his heir shall be of full age and owe a "relief," the heir shall have his inheritance on payment of the ancient scale of "relief." That is to say, the heir of heirs of an earl shall pay £100 for the entire earl's barony, the heir or heirs of a knight, 100 [shillings], at most for the entire knight's "fee", and any man that owes less shall pay less, in accordance with the ancient usage of "fees." [Clause 2 restated: When a landholder dies, his heir must pay a fee to inherit the property. The customary fee for the heir of an earl was 100 pounds, for a knight 100 shillings or 5 pounds.]

12. No "scutage" or "aid" may be levied in our kingdom without its **general consent**, unless it is for the ransom of **our person**, to make our eldest son a knight, and (once) to marry our eldest daughter. For these purposes only a reasonable "aid" may be levied. "Aids" from the city of London are to be treated similarly.

20. For [a] **trivial offence**, a free man shall be fined only in proportion to the degree of his offence, and for a serious offence correspondingly, but not so heavily as to deprive him of his livelihood.

39. No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his **standing** in any other way, nor will we proceed with force against him, or send others to do so, except by the lawful judgement of his equals or by the law of the land.

40. To no one will we sell, to no one deny or delay right or justice. [Individuals shall expect an orderly process in hearing legal matters. The king could not delay or deny justice.]

63. It is accordingly our wish and command that the English Church shall be free, and that men in our kingdom shall have and keep all these liberties, rights, and concessions, well and peaceably in their fullness and entirety for them and their heirs. . . .

Both we and the barons have sworn that all this shall be observed in good faith and without **deceit** . . . .

Given by our and in the meadow that is called Runnymede, between Windsor and Staines, on the fifteenth day of June in the seventeenth year of our reign [June 15, 1215].

<http://law.jrank.org/pages/12303/Magna-Carta-Excerpt-from-Magna-Carta.html>

**Selections from the Constitution of the Iroquois Nations: (Around 1400 A.D.)**

**THE GREAT BINDING LAW, GAYANASHAGOWA**

1. I am Dekanawidah and with the Five Nations' Confederate Lords I plant the Tree of Great Peace. I plant it in your territory, Adodarhoh, and the Onondaga Nation, in the territory of you who are Firekeepers.

3. To you Adodarhoh, the Onondaga cousin Lords, I and the other Confederate Lords have entrusted the caretaking and the watching of the Five Nations Council Fire.

When there is any business to be transacted and the Confederate Council is not in session, a messenger shall be dispatched either to Adodarhoh, Hononwirehtonh or Skanawatih, Fire Keepers, or to their War Chiefs with a full statement of the case desired to be considered. Then shall Adodarhoh call his cousin (associate) Lords together and consider whether or not the case is of sufficient importance to demand the attention of the Confederate Council. If so, Adodarhoh shall dispatch messengers to summon all the Confederate Lords to assemble beneath the Tree of the Long Leaves.

5. The Council of the Mohawk shall be divided into three parties as follows: Tekarihoken, Ayonhwhathah and Shadekariwade are the first party; Sharenhowaneh, Deyoenhegwenh and Oghrenghrehgowah are the second party, and Dehennakrineh, Aghstawenserenthah and Shoskoharowaneh are the third party. The third party is to listen only to the discussion of the first and second parties and if an error is made or the proceeding is irregular they are to call attention to it, and when the case is right and properly decided by the two parties they shall confirm the decision of the two parties and refer the case to the Seneca Lords for their decision. When the Seneca Lords have decided in accord with the Mohawk Lords, the case or question shall be referred to the Cayuga and Oneida Lords on the opposite side of the house.

7. Whenever the Confederate Lords shall assemble for the purpose of holding a council, the Onondaga Lords shall open it by expressing their gratitude to their cousin Lords and greeting them, and they shall make an address and offer thanks to the earth where men dwell, to the streams of water, the pools, the springs and the lakes, to the maize and the fruits, to the medicinal herbs and trees, to the forest trees for their usefulness, to the animals that serve as food and give their pelts for clothing, to the great winds and the lesser winds, to the Thunderers, to the Sun, the mighty warrior, to the moon, to the messengers of the Creator who reveal his wishes and to the Great Creator who dwells in the heavens above, who gives all the things useful to men, and who is the source and the ruler of health and life. Then shall the Onondaga Lords declare the council open. The council shall not sit after darkness has set in.

9. All the business of the Five Nations Confederate Council shall be conducted by the two combined bodies of Confederate Lords. First the question shall be passed upon by the Mohawk and Seneca Lords, then it shall be discussed and passed by the Oneida and Cayuga Lords. Their decisions shall then be referred to the Onondaga Lords, (Fire Keepers) for final judgement.

14. When the Council of the Five Nation Lords shall convene they shall appoint a speaker for the day. He shall be a Lord of either the Mohawk, Onondaga or Seneca Nation.

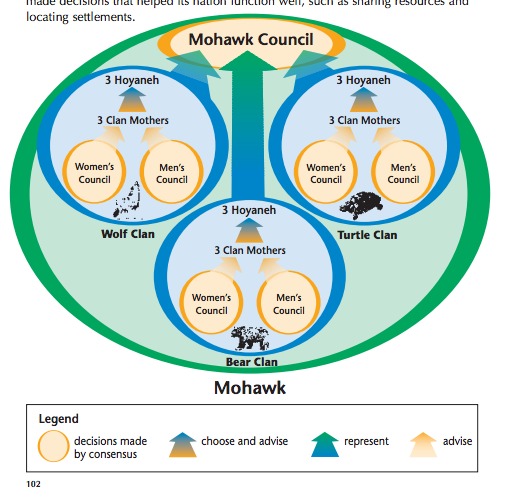
44. The lineal descent of the people of the Five Nations shall run in the female line. Women shall be considered the progenitors of the Nation. They shall own the land and the soil. Men and women shall follow the status of the mother.

99. The rites and festivals of each nation shall remain undisturbed and shall continue as before because they were given by the people of old times as useful and necessary for the good of men.

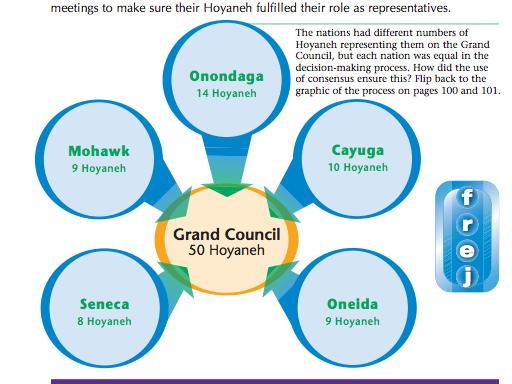
The Grand Council

The Grand Council met to discuss issues that affected the whole Iroquois Confederacy, such as peace treaties, trade agreements, and decisions to go to war. The Grand Council was made up of the Hoyaneh from each nation — 50 in all. Although they rarely spoke at Grand Council meetings, all Iroquois people — men and women — had ways to make their voices heard in the decision making of the Grand Council. Through the Women’s Councils and Men’s Councils of their clans, they advised the Clan Mothers of their positions on issues. The Clan Mothers, in turn, chose and advised the Hoyaneh. If a Hoyaneh didn’t carefully consider the advice of his Clan Mother, the Clan Mother warned him. After the third warning, she removed him and chose someone else. To make a decision, the Grand Council discussed issues in a set order. Council decisions had to be unanimous, so the Grand Council always worked towards consensus. This is the way decisions about traditional and cultural matters are made by the Iroquois today.

<http://www.nelson.com/albertasocialstudies/productinfo/gr6_9/documents/abss6ch4draft.pdf>



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